

**Regular Meeting
Board of Zoning Appeals
December 7, 2005**

Chairman Jerry Uebelhor called the Regular Meeting of the Board of Zoning Appeals to order at 7:00 p.m. Secretary Lloyd Martin took roll call as follows:

Chairman Jerry Uebelhor	-Present	Randy Mehringer	-Present
Vice Chairman Jim Blessinger	-Present	Bob Wright	-Present
Secretary Lloyd Martin	-Present	Bldg. Comm. Dave Seger	-Present
Ray Byrd	-Present	Atty Sandy Hemmerlein	-Present

PLEDGE OF ALLEGIANCE

Chairman Uebelhor led the Pledge of Allegiance.

APPROVAL OF THE MINUTES

Minutes of the November 2, 2005 Regular Meeting and the November 17, 2005 Special Meeting were reviewed. Vice Chairman Jim Blessinger made a motion to approve the minutes as mailed. Bob Wright seconded it. Motion carried 6-0.

STATEMENT

Chairman Uebelhor read the following statement. "We are now ready to begin the public hearings scheduled for this evening. With respect to tonight's meeting and public hearings, we are hereby incorporating by reference into the record of tonight's meeting and public hearings, City of Jasper Ordinance Number 1993-17, entitled "Zoning Ordinance of the City of Jasper, Indiana and its jurisdictional area" and any and all amendments thereto. Audio and videotapes of these proceedings are also incorporated by reference into this evening's record."

OLD BUSINESS

Petition of Marty and Shelly Meyer for a variance from Section 16.02.140 (Height Regulations).

Brent Holweger, of Holweger Construction, and Marty and Shelly Meyer were present to request a variance to build a detached garage on their property located at 30 Carter Boulevard. Mr. Meyer is requesting a height of 22 ½ feet.

Plans are to build a room above the garage to be used for a recreation area and storage. The pitch of the roof would be the same as that on the house.

There were no remonstrators present. After some discussion, Vice Chairman Blessinger made a motion to close the public hearing. Ray Byrd seconded it. Motion carried 6-0.

Vice Chairman Blessinger made a motion to grant a variance to build a garage with a height not to exceed 22 ½ feet. It was seconded by Secretary Martin. Motion carried 6-0.

NEW BUSINESS

Petition of Chris Underwood for a special exception to allow a Home Occupation (Underwood Home Repair).

Chairman Uebelhor read a letter dated December 6, 2005, from Chris Underwood, stating his request to withdraw his petition.

Petition of David L. Hostetter for a special exception to allow a Home Occupation (State of Indiana Licensed Home Inspection business).

David Hostetter was present to request a special exception to operate a state licensed home inspection business at his home located at 519 E. Burger Road.

Mr. Hostetter explained to the Board that most of his business would be dealing with phone calls from real estate agents and loan officers. There would be no customers coming to the home.

With no remonstrators present, Secretary Martin made a motion to close the public hearing. Ray Byrd seconded it. Motion carried 6-0.

Vice Chairman Blessinger made a motion to grant a special exception to allow a Home Occupation (State Licensed Home Inspection) at 519 E. Burger Road. Ray Byrd seconded it. Motion carried 6-0.

Petition of Gregory M. Renner for a variance from Section 16.02.140 (Height Regulations).

Greg Renner was present to request a variance to build a detached garage on his property located at 1903 and 1905 W. Schuetter Road. Mr. Renner plans to use the two-car garage for parking his vehicles and also for storage and a workshop.

The proposed building would measure 32 x 48 feet and approximately 18 feet in height, depending on the size of the trusses. The workshop would measure 28 x 32 feet. Mr. Renner assured the Board that everything would be stored inside the building.

Attorney Sandy Hemmerlein read a letter addressed to the Board from Tom Eversman, who owns 32 acres adjacent to the proposed property. Mr. Eversman stated that he has not been presented with any plans of the garage and is concerned with the building be constructed without talking to Mr. Renner beforehand.

Attorney Bill Kaiser appeared before the Board on behalf of Tom Eversman to reiterate his concern. Attorney Kaiser explained that Mr. Eversman's concern was mostly due to not viewing any plans beforehand. He added, with the possibility that Mr. Eversman's 32 acres will be developed sometime in the future, Mr. Eversman would like to make sure of what Mr. Renner's plans are.

Mr. Renner said it is his understanding that if the garage would measure 16 feet in height, he would not be required to apply for a variance. According to the contractor's plans, Mr. Renner explained that he is right at 16 feet, however, he applied for a variance just in case the trusses are delivered with a different measurement.

Attorney Kaiser suggested a commitment be recorded stating that no other storage buildings be allowed on the property.

Mr. Renner informed the Board that he would like to add a porch onto the building at the time the garage is constructed. He also wanted to add a lean-to however, after some discussion with the Board, agreed to add only the porch.

Vice Chairman Blessinger made a motion to close the public hearing. Ray Byrd seconded it. Motion carried 6-0.

Bob Wright made a motion to grant a variance to build a two-car garage, with the height not to exceed 18 feet 6 inches and also the stipulation that a commitment be written stating no additional accessory buildings will be allowed on the lot. Ray Byrd seconded it. Motion carried 6-0.

Petition of Gregory M. Renner for a special exception to allow a Home Occupation (Wood Working Shop)

Greg Renner was present to request a special exception to allow a Home Occupation (wood working shop) at his property located at 1903 and 1905 W. Schuetter Road.

Mr. Renner said the major extent of his work at present is arts and crafts. He said there is a possibility of some larger jobs in the future.

A letter was received by Tom Eversman stating concerns regarding the home occupation. Mr. Eversman owns 32 acres of land adjacent to the proposed property. In his letter, he stated that he is out of town and has not seen or discussed any plans with Mr. Renner. Mr. Eversman concluded that he would like to have the opportunity to speak with Mr. Renner before a special exception is granted.

After some discussion, Vice Chairman made a motion to table the public hearing. Randy Mehringer seconded it. Motion carried 6-0.

Petition of Cave Quarries, Inc., as owner of the subject property for a variance from Section 16.02.140 (Height Regulations).

Surveyor Ken Brosmer was present on behalf of Cave Quarries, Inc. to request a variance to construct a building with a height of 37 feet. The property is located north of new State Road 162 and east of Heinhold Hog Market on Meridian Road.

Plans are to use the building as a repair shop. There would also be space for an office and storage of heavy equipment.

With no remonstrators present, Vice Chairman Blessinger made a motion to close the public hearing. Bob Wright seconded it. Motion carried 6-0.

Vice Chairman Blessinger made a motion to grant a variance to construct a repair shop with the height not to exceed 37 feet. Secretary Martin seconded it. Motion carried 6-0.

Changes in Rules of Procedure

City Attorney Sandy Hemmerlein presented to the Board some proposed changes in the Rules of Procedure. The two changes include:

- On page 1, Article 1 –Meetings; Section (B) shall read, “All regular meetings shall be held at 6:30 p.m. in the Council Chambers of Jasper City Hall, unless otherwise publicly announced, beginning with the regular meeting in January, 2006.
- On page 5, Section (B); (1) shall conclude as follows, “At the hearing, the petitioner must be present or have prior arrangements made for a representative to present the request on behalf of the petitioner.”

Secretary Martin made a motion to approve the changes in the Rules of Procedure. Bob Wright seconded it. Motion carried 6-0.

Board member Ray Byrd - Resignation

Board member Ray Byrd will end his term on the Board of Zoning Appeals effective immediately. Mr. Byrd will be residing out of the City's jurisdiction.

Chairman Uebelhor thanked Mr. Byrd, on behalf of the entire Board, for his time of service.

With no further discussion, Secretary Martin made a motion to adjourn the meeting. Ray Byrd seconded it. The motion carried 6-0, and the meeting was adjourned at 8:30 p.m.

Jerry Uebelhor, Chairman

Lloyd Martin, Secretary

Kathy M. Pfister, Recording Secretary